

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office SEP 13 1991

Returned to applicant for correction _____

Corrected application filed _____ Map filed OCT 21 1991

The applicant Robert G. and Beverly D. Hendrix

2100 Mt. View Drive of Fallon
Street and No. or P.O. Box No. City or Town

Nevada 89406 hereby make application for permission to change the
State and Zip Code No.

place of use of a portion and the manner of use
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Truckee Carson Irrigation District Serial Nos. 210,
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

210A-1, 210A-2, 210A-3, 210A-4, 210A-5, 210A-6. USA vs. ORR Ditch Co. in
Identify right in Decree.

Equity N.A-3, Claim No. 3; USA vs. Alpine Reservoir Co., No. D-183 BRT, both

by the Federal District Court of Nevada.

1. The source of water is Truckee River and Carson River
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 47.84 acre feet
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Maintenance of Wetlands for Recreation and Wildlife/Storage
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for as decreed
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point Lahontan Dam being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section
Describe as being within a 40-acre subdivision of public survey and by course and

33, T19N, R26E, M.D.B. & M
distance in a section corner. If on unsurveyed land, it should be stated.

6. The existing permitted point of diversion is located within _____
If point of diversion is not changed, do not answer.

7. Proposed place of use See Addendum
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use 16.0 Acres total, being within SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 6 T18N, R29E
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or

manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from as decreed to _____ of each year.
Month and Day Month and Day

10. Use was permitted from as decreed to _____ of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and

specifications of your diversion or storage works.) No new diversion or storage works on the
State manner in which water is to be diverted, i.e., diversion structure.

Truckee and the Carson River will be constructed
ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works _____

13. Estimated time required to construct works _____

14. Estimated time required to complete the application of water to beneficial use 1 year

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

See Addendum

By s/Robert C. Bryant
U.S. Fish and Wildlife Service
911 N.E. 11th Avenue
Portland, Oregon 97232-4181

Compared bc/bc am/se

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of the waters of the Truckee and Carson Rivers as set forth under the Newlands Reclamation Project rights in the Truckee and Carson River final decrees is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein.

This permit is issued subject to the agreement executed by the Truckee Carson Irrigation District, U.S. Fish and Wildlife Service, and the Nature Conservancy, dated June 28, 1990.

This permit is further issued pursuant to NRS 533.370, Section 1(b).

This permit is also issued for the consumptive use pursuant to Article VII in the United States of America vs. Alpine Land and Reservoir Company, et al., D.C. No. D-183 BRT. The net consumptive use is determined to be 2.99 acre feet per acre of land removed from irrigation.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 47.84 ~~acres~~ acres per second acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before April 8, 1993

Proof of completion of work shall be filed before May 8, 1993

Application of water to beneficial use shall be made on or before April 8, 1995

Proof of the application of water to beneficial use shall be filed on or before May 8, 1995

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed DEC 7 - 1992

Proof of beneficial use filed MAY 22 1995

Cultural map filed _____

Certificate No. 14891 Issued APR 13 1998

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my
office, this 8th day of April

A.D. 19 92


State Engineer

**ADDENDUM TO APPLICATION TO TRANSFER NEWLANDS PROJECT WATER RIGHT
TCID SERIEL NOS.
210, 210A-1, 210A-2, 210A-3, 210A-4, 210A-5, and 210A-6**

1. The proposed place of use consists of 57,450 acres, more or less, in:

Township 21 North, Range 32 East, Mount Diablo Meridian

Section 2, all;
Section 3, all;
Section 4, all;
Section 5, all;
Section 6, all;
Section 7, all;
Section 8, all;
Section 9, all;
Section 10, all;
Section 11, all;
Section 14, all;
Section 15, all;
Section 16, all;
Section 17, all;
Section 18, all;
Section 19, all;
Section 20, all;
Section 21, all;
Section 22, all;
Section 27, all;
Section 28, all;
Section 29, all;
Section 30, all;
Section 31, all;
Section 32, all;
Section 33, all;
Section 34, all;

Township 21 North, Range 31 East, Mount Diablo Meridian

Section 1, all;
Section 2, all;
Section 3, all;
Section 10, all;
Section 11, all;
Section 12, all;
Section 13, all;
Section 14, all;
Section 15, all;
Section 22, all;
Section 23, all;
Section 24, all;
Section 25, all;
Section 26, all;
Section 27, all;
Section 34, all;
Section 35, all;
Section 36, all;

Township 19 North, Range 30 East, Mount Diablo Meridian

Section 13, E $\frac{1}{2}$ E $\frac{1}{2}$ east of Stillwater Slough;
Section 24, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$

2. Applicants seek the approval of the State Engineer to cease the delivery of up to 47.84 acre feet (2.99 acre feet per acre x 16 acres irrigated as of 1987) at the turnout for the existing place of use, to deliver up to that amount to a turnout on the "S" Line system in general of the Newlands Project, and alternatively to use that amount for the maintenance of wetlands for recreation and wildlife at various places within the 57,450 acres (more or less) proposed place of use at the Stillwater National Wildlife Refuge and Management Area (SNWRMA) or to store it in various ponds and reservoirs in that area for such use at a later time.

3. Applicants request that approval of this transfer be conditioned on the reopening of the approval and the full reinstatement and consideration of any protest properly lodged by the Pyramid Lake Tribe to the application, in the event that the U.S. Fish and Wildlife Service, or any other Federal agency, pursues or accepts a transfer to the proposed place of use or to any other Federally owned wetlands in the Lahontan Valley or the Fernley Sink, of Newlands Project water rights which are included on a composite map and in summary statistics of the Newlands Project acreage that was both water righted and irrigated in 1 or more years from 1984-89, excluding:

1. any acreage that was irrigated with groundwater rights;
 2. any acreage that was water righted by virtue of a transfer approved since March 15, 1985; and
 3. any acreage within the Fallon Paiute-Shoshone Reservation as indicated in that tribe's proposed amendments to Senate Bill 1554; but including any acreage irrigated under contractual pasture water rights.
4. Applicants expressly reserve the right to transfer in a later proceeding 1.51 acre feet for each of the 16 acres irrigated as of 1987.

Township 20 North, Range 32 East, Mount Diablo Meridian

Section 3, all;
 Section 4, all;
 Section 5, all;
 Section 6, all;
 Section 7, all;
 Section 8, all;
 Section 9, all;
 Section 10, all;
 Section 16, all;
 Section 17, all;
 Section 18, all;
 Section 19, all;
 Section 20, all;
 Section 21, all;
 Section 29, all;
 Section 30, all;

Township 20 North, Range 31 East, Mount Diablo Meridian

Section 1, all;
 Section 2, W $\frac{1}{2}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Section 11, all;
 Section 12, all;
 Section 13, all;
 Section 14, all;
 Section 22, E $\frac{1}{2}$;
 Section 23, all;
 Section 24, all;
 Section 25, all;
 Section 26, all;
 Section 27, E $\frac{1}{2}$, SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Section 28, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Section 33, E $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Section 34, all;
 Section 35, all;
 Section 36, all;

Township 19 North, Range 31 East, Mount Diablo Meridian

Section 2, all;
 Section 3, all;
 Section 4, E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Section 9, all;
 Section 10, all;
 Section 11, all;
 Section 14, all;
 Section 15, all;
 Section 16, all;
 Section 17, E $\frac{1}{2}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Section 18, Lot 1 East of Stillwater Slough, Lot 2,
 SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ east of Stillwater Slough; SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Section 19, NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, S $\frac{1}{2}$;
 Section 20, all;
 Section 21, all;
 Section 22, all

